

STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF ELMWOOD PARK
ZONING BOARD OF ADJUSTMENT

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, JANUARY 23, 2019

JANUARY 23, 2019
Municipal Building
Elmwood Park, New Jersey 07407
Commencing at 7:30 pm

B E F O R E:

THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF
ELMWOOD PARK.

PRESENT:

JAMES GOLEMBISKI, Chairman
ANGELO PANETTA, Member
DEBORAH ALVAREZ, Member
FRANK BAGLIERI, Member
DONALD INGRASSELINO, Member
FRANK DELLIGATTI, Member
DOMINICK SCALCIONE, Member
JOSEPH BENIAMINI, Alt. 1
ELLIOT F. SACHS, Bd. Engineer
MATTHEW DE MARIA, ESQ., Bd. Atty.

JOSEPH NATALE, C.S.R.
30 Cedar Island Drive
Brick, New Jersey 08723
(732) 477-6710

I N D E X

APPLICANT	DISPOSITION	PAGE
AGENDA:		
REORGANIZATION MEETNG/SETTING OF MEETING DATES FOR 2019		6
46 WENDY'S, LLC (A18-012	GRANTED	4
JENNIFER AND BLAINE MARTINO (A19-001)	GRANTED	4
RESOLUTIONS:		
PAUL BAGLIERI (A18-011)		3

THE CHAIRMAN: Good evening, this is the regularly scheduled meeting of the Elmwood Park Zoning Board of Adjustment called to order.

(Whereupon there is a flag salute.)

Roll call vote: Present were Members Panetta, Beniamini, Ingrasselino, Delligatti, Freitag, Alvarez, Golembiski and Baglieri.

Mr. Freitag made a motion to accept the minutes of the December 19, 2018 meeting, with the correction that Frank Baglieri did not second the motion in the matter of PAUL BAGLIERI (A18-011), as he was recused (it was seconded by Mr. Beniamini). The motion was seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor of motion.

Ms. Alvarez made a motion to accept the Resolution of PAUL BAGLIERI (A18-011), seconded by Mr. Ingrasselino.

Roll call vote: Voting yes in favor of motion were Members Alvarez, Ingrasselino, Beniamini, Freitag and Golembiski; voting no were Members Panetta and Delligatti; Mr. Baglieri abstained.

At this time, the Chairman announced the close of the 2018 business before the Board.

The Board opened the 2019 calendar year and commenced with the swearing in of the newly appointed Board member, Dominick Scalcione.

At this time, James Golembiski was nominated as Acting Secretary. The Board conducted nominations for the year 2019 resulting in the following:

A motion and second was made to appoint Frank Delligatti as Temporary Vice Chairman.

James Golembiski, Secretary.

Matthew P. DeMaria, Esq., Board Attorney.

Boswell Engineering, Board Engineer.

Joseph Natale, C.S.R, Board Court Reporter.

A motion and second was made to not appoint a planner.

Acting Vice Chairman Delligatti announced the closing of 2018 and the commencement of the 2019 meeting.

Roll call: Present were Members Panetta, Baglieri, Ingrasselino, Delligatti, Scalcione, Alvarez, Beniamini; Members Giovanni and Van Rye were absent.

JENNIFER & BLAINE
MARTINO (A19-001) (GRANTED)
PREMISES AFFECTED: 22 Memorial Place, Block 1303, Lot 6.
PURPOSE: Variance for side and front yard setback.

Mr. DeMaria announced Mr. Beniamini will now vote on this application as Alternate No. 1.

BLAINE MARTINO, 22 Memorial Place, Elmwood Park, New Jersey, sworn.

Mr. Martino testified they have resided in Elmwood Park for fifteen years and have two boys, 11 and 15. Their house is a small Cape and they would like to add an addition to make living here a little more comfortable.

Mr. Martino testified that the height will conform with the Zoning Code. He testified they are seeking to remove the top level of the house and raise the second floor. There will also be a 6' bump out off the first floor.

At this time the Board went into recess.

After further discussion and questioning by the Board, the Vice Chairman opened the meeting to the public. Hearing no one, the Vice Chairman closed the public portion.

Mr. Baglieri made a motion to approve, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

46 WENDY'S LLC
(Lenspy of Little Falls) (GRANTED)
PREMISES AFFECTED: 231 Route 46 West, Block 1706, Lot 3.
PURPOSE: Amended Site Plan application. Requesting to reconfigure the single-lane drive-thru into a two-lane drive-thru with related improvements.

MATTHEW P. POSADA, ESQ., appeared on behalf of the applicant.

Mr. Posada reminded the Board that Wendy's received site plan approval in February of 2004 and tonight they are seeking to bifurcate the existing drive-thru lane into two lanes.

The purpose of the application is to reduce the queuing on site, to promote the general welfare and safety of the public, and also to encourage the free-flow of traffic.

He stated this is a fully conforming application. They are not requesting any waivers or variances.

THOMAS G. STEARNS, III Engineer, 144 Jewel Street, Garfield, New Jersey, sworn.

The Board recognized Mr. Stearns as a licensed engineer in the State of New Jersey.

Mr. Stearns testified he's visited the subject premises and is familiar with same. He testified he drafted the engineering plans before the Board and reviewed same.

He testified the lane will be split into two lanes, with two menu boards and two speakers at each location. He testified there will be two employees, one at each location. He testified this will improve circulation and speed for Wendy's customers.

The existing light pole is being moved to the new driveway facing in a southeasterly direction. Mr. Stearns testified there will be no changes to parking or existing site pavement or curbing. He testified curb stops will be provided.

He testified lighting will be directed towards Route 46 to avoid spillage onto the residential areas. They will also plant 6' to 8' evergreen trees in the back left corner to further prevent light spillage.

Mr. DeMaria noted that the Resolution will make any necessary application to the DOT regarding the right-of-way.

SAM NASSAR, Director of Operations, Wendy's, sworn.

Mr. Nassar testified he has held the position of Director of Operations for ten years. He testified they open at 1 a.m. and they close the drive-thru at 2 a.m.

He testified the change to two lanes will not effect the hours of operation. He testified they have twenty-nine crew members and at peak hours, they have thirteen. As a result of this proposal they may have to add one more position. He testified this will make for a smoother running operation.

After further discussion and questioning by the Board, the Board went into recess.

Mr. Nassar testified they have never received any complaints regarding noise. He testified they utilize noise reducing equipment as a result of their neighbors behind them.

At this time, A-1 (Information of Headset Systems) is received and marked.

Mr. Nassar testified they will comply with the recommendations in Boswell's report.

After further discussion and questioning by the Board, the Vice Chairman opened the meeting to the public.

JOYCE STANEZAK, 174 Roosevelt Avenue, Elmwood Park, New Jersey, sworn.

PATRICK STANEZAK, 174 Roosevelt Avenue, Elmwood Park, New Jersey, sworn.

Ms. Stanezak testified they frequent Wendy's and like the business. She testified they are not directly effected but have a concern that businesses in general are overstepping their bounds with lighting, etc.

Mr. Stanezak also expressed the same concerns. He testified one house is constantly lit up due to the drive-thru.

Both Mr. and Mrs. Stanezak expressed concern over exacerbated sound levels.

Hearing no one further from the public, the Vice Chairman closed the public portion.

Mr. Posada indicated that as a condition of approval, they will put a new light pole in.

Mr. Stearns testified the evergreens will be 6' on center, approximately fifteen.

After further discussion and questioning by the Board, Mr. Baglieri made a motion to approve, subject to all the agreed-to stipulations, which motion was seconded by Mr. Ingrasselino.

Roll call vote: Voting yes in favor of motion to approve were Members Panetta, Ingrasselino, Delligatti, Scalcione, Alvarez, Beniamini and Baglieri.

At this time, the Board announced the 2019

meeting dates.

There being no further business, Mr. Baglieri made a motion to adjourn, seconded by Mr. Ingrasselino, and all voted in favor of adjournment.

BOARD SECRETARY